CHER COURTS DECISIONS.

Decisions Handed Down at the Latest Sittings.

COURTS OF CIVIL APPEALS.

Reversed and Remanded, Disof-The Motion Ducket.

nas, Texas, January 22. - Following spopes of opinious rendered by court fininal appeals yesterday:

w. MAYES, from Tarrant; conviction regravated assault—Affirmed. statement of facts can not be con-

ed because they are made up of ques-and answers. The bills of exception is solely to the admission and rejection idence; and there being no statement daws are unable to determine whether similarious or rejection of such evidence

erior by Hurt, P. J. excisco GRANDE, JR., from Neuces, riction for receiving stolen property, swing the same to have been stolen

explanation of recently stolen prop The record discloses that appellant to explanation, and if he had, the register has been frequently held to remove. Appellants defense was that cardased the property. This the court do preprint submit to the jury, paion by Davidson, J.

HENRY, from Limestone; conviction gaming-Appeal dismissed. r gaming Appeal inhillings.

be recognizance does not bind appellant arous before the trial court from day ar, etc., as required by law, mion by Henderson, J.

CANNADAY, from Kaufman; convic-o for carrying a pistol-Appeal dis-

he recognizance recites that appellant and charged with the offense of unlaw-perrying arms." This constitutes no non by Davidson, J.

(SWAIN, from Kaufman-Appeal disis the Cannaday case, supra.

Reversed.

Revidence for the State tended to show the prosecutor had taken a room at house of a lewd woman; that he had a of and while there displayed the same, put it under the head of the bed and sequently was awakened by appellant, had secured the pistol and accused securer of carrying the same, and made get up, and told him he was going to y him to jail, but told him he would him loose if he would pay him \$15, he did finally pay him \$5. Appellant lifed that he saw the prosecutor was flouragit around; that defendant took the of from under prosecutor was flouragit around; that defendant took the of from under prosecutors bed, and him he was going to turn thin over to officers. He dealed receiving any money in the prosecutor. The court charged jury among other things, if defendant tratement is accuse and prosecute Allat (prosecutor) for unlawfully carrying istol, and that Allright had not then or serofore unlawfully carrying istol, and that Allright had not then or serofore unlawfully carrying istol, and that the cluent took from the defendant of his money, to find him guilty. Appellant objected to this charge on the und that the court took from the jury right to pass upon whether the acts led were injurious to the character or zen of the prosecutor. In this charge, court in effect instructed the jury that defendant threatened to accuse a mid secule allright for unlawfully carrying letol, unless said Allright had carried pistal in his presence, that this threat to do an unlawful act, and if by such sat be induced the said Allright to deep to him him guilty. We so understand the statute. The

pinion by Hurt, P. J.

BERT BRAUFIER, from Dallas, convic-on for malicious mischief—Reversed ad dismissed

and dismissed.

The indictment charges that appellant a missfully, within and mischievously free certain property, to with a buggy, then and there removing from the mischies and there removing from the mischies and there the said buggy of the sai

WEBSTER, from Camp; conviction for same-Affirmed.

bills of exception or statement of facts ar in the record. The indictment and re of the court are sufficient.

W. REED, allies DEN JAMES, from fract conviction for cattle theft-Af-

Then the case was called for trial, appel-lapplied for a continuance on account the absence of three witnesses, by whom the case to prove that he had worked as Robinson in the Indian Territory, I Bothmon eved him 12a and in settle-al acred to let him have cartle in case old any way him by a certain time, when the Bothmony adduced upon the case the Bothmony adduced upon the in of the bestmony adduced upon the case of the desired the witnesses would are as indicated in the application, and they did their testimony could not be arised as Probably true. The record any discloses the appellant's guilt.

ONARD EVANS, from Tarrant; convic-ies for borse theft—Affirmed. Its only question presented is that the diet is centrary to the law and the evi-te. The statement of facts fully sup-tanted the conviction.

LISESSIONS, from Falls; conviction for sole theft—Reversed only witness that implicated appeldirectly or remotely, was one Fergu-

son. From the record he appears to have been an accomplice and the court below should have treated him so. An accomplice must be corroborated. This was not done. Opinion by Hurt, P. J.

HILL SESSIONS, from Falls; conviction for conspiracy to commit theft of a horse-Reversed.

We pretermit any expression of epinion We pretermit any expression of epinion as to whether or not the offense of conspiracy as defined in article 253, is committed by parties entering into a posistive agreement to commit their generally. This conviction was obtained upon the testinosis of one Fergurson, who was an accomplice, and so recognized by the trial judge. The State, over appellants objection introduced in evidence the acts and declarations of a co-conspirator, Adkins, proving that Adkins was found in possession of a stolen lorse, and other acts, after the completion of the offense. Such evidence is not admirable. A conspiracy can not be established by the acts and declarations of a co-conspirator. ons of a co-conspirator. Opinion by Hurt, P. J.

WASHINGTON HARDY, from Victoria; echyletion for rape upon a girl under 15 years of age, death penalty assessed—Af-firmed.

It appears from the facts that the girl It appears from the facts that the girl was living with her grandmother in Houston, where appellant tived; that on or about March 7, 1846, he induced the girl to leave her grandmother and go with him to Victoria county, at which piace he ciaimed the girl was his daughter. He slept with the girl and had earnal intercourse with her a great many times. At the time of such intercourse in Victoria county the girl was a few months over 10 years of age. Upon the trial appellant attempted to entablish a common taw marriage by swearing that he and the girl had agreed to live together as man and wife; and upon such testimony rediested an instruction in reference to common taw marriage. There was no erreducted an instruction in reference to common haw marringer. There was no error in the court's refusal to give such charge, because the girl was under 11 years of age, and under the laws of this State could not marry in any form, with or without a license. The State proved beyond question that the prosecutrix was not the appellant's wife.

Opinion by Davidson, J.

DAN MUSE, from Waller county; convic-tion for murder in the first degree; life sentence—Affirmed.

The statement of facts in this case was not filed until the twelfth day after the adjournment of the term of court. Appellant's attorney and the district attorney filed affidavits concerning diligence used, etc. An inspection of these affidavits do not disclose proper diligence on the part of appellant's counsel to secure the statement of facts in time. The indictment and the charge of the court are correct.

Opinion by Henderson, J.

T. J. WILSON, from Erath; conviction for

The court did not err in admitting testimony to the effect that defendant had previously owned a salcon, in which the deceased was then doing business, and permitted his minor sen to stay in said salcon. The theory of the defense was to the effect that defendant had gone to deceased's salcon for the purpose merely of getting his son away from the salcon. It appears that defendant had gone to deceased's salcon for the purpose merely of getting his son away from the salcon. It appears that defendant's son was a minor, and defendant was opposed to his being in the salcon. In contravention of this theory, the State proved that a short time before the homicide defendant had pursued his son to a butcher shop, adjoining the salcon, and walked up and down the street in front of sald salcon and butcher shop, using abusive language towards certain persons, whem he accused of rooting him and now having his son in the salcon ruining him. Under this state of case there was no error in admitting the festimony. On the trial the State asked Watness Penninger, on cross-examination, among others, the following question. "Did you not tell Frey in that conversation that you had been with the defendant all day and that you knew the difficulty was going to come off, and that you left to keep from seeing it?" Answer: "I had no such conversation with Frey." The State afterwards introduced Frey, who testified that Penninger said to him "that he had been with the defendant that evening, and that Penninger said to him "that he had been with the defendant that twen irrelevant, immaterial and was an attempt to elicit from Penninger his coninon as to whether or not the difficulty was going to come off, and such conclusion was collateral and Irrelevant, and the State having asked the Witness Penninger all about the matters testified to by Frey, and Penninger having denied such statements, the State was bound by his answer and could not impeach him by showing that he had made false statements about such matters of opinion. By reference to the The court did not err in admitting testiony to the effect that defendant had pre-

Opinion by Henderson, J.

WILL LOWERY, from Rockwall; convic-tion for carrying a pistol on and about his person—Appeal diamissed.

The recognizance recites that he is charged with earrying "on or about his

SPECIFIC

is far ahead of any blood remeily on the market, for it does so much more. Besides removing faparrities, and toning up the run-down system, it either any blood disease, it matters not how deep-seated or obstinate, which other so-called blood remedies fail to reach. It is a real blood remedies fail to reach, it is a real blood remedies fail to reach, it is a real blood remedies if it for a fact of seate of seate of seate in the seate of seate of seate in the seate of sea

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9158 9534, 9357; L. L. C. (6); Mrs. Legan Ch.
9113 9525; W. C. Moores 944 (7); 9144 (10)
3215; W. Furdy; 9416, 9417 (2); 919; 9208,
939; 3359; 9144, 9186 (2); 9244, 9145, 9379 (4);
72 (8); 3198; W. N. M. (4); X. Y. Z. (2); 9122,
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CHEAP CASES for sale at J. L. Mitchelt,
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one ten foot care with stand, with patent money and two extra drawers, also
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two square cases. 27
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26

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FOR SALE—All kinds of from these, write for piles. Address P. A. McKenzis, Genoa, Texas.

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WANTED-Good and experienced cook German or Swede preferred. Apply at once at ESS Rusk avenus. WANTED-Two or three experienced col-lectors; only these acquainted with the alty need apply, reference required. Ap-ply rooms alself fins bushing.

A WHITE serverst girl to cook, wash and do light housework for family of two Apply Fig Caroline.

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to right man. Address, 21 own hand-writing, 3552, this office.

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AN OLD man wants position badly in good family to do kght work 1700d home object; good reference given. Address \$25 the office.

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office.

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SCANI'INAVIAN girl wants position in private family to cook and do house work. Apply 2167 San Jacinto street. 24

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dring store. Apply Wm. Nelson, 803 Sq.
Felipe.

WANTED-Skumion as cook for private family or boarding house; sober and good moral character age if years; colored man. Address 955, this office.

STDUATION WANTED-By young man is, to work in hotel, restaurant or drived hivery wagon; willing to work for small wages; well acquainted with the city. Address H. E. B., this office. white MAN, first-class cook and baker, wasts a, Job in or out of town. Address Edd, 1517 Liberty street, Houston, Texas 24

WANTED-A position of any kind, wages no object; can do work of any kind. Address P. G. Holmes, Beaumont.

A FIRST-CLASS cook and baker, German, wants position at once; railroad job or lumber camp preferred. Address 600, this ofnee. RESPECTABLE young lady wishes a place in respectable family as compan-ion, small compensation. Address T. P. this office. 21

this office.

WANTED-Simpleton by first-class around cook (white), hotel, restaurant sention house; mrietly cobert only country, Address 350, this office. FIRST-CLASS waiter wants work in hotel or restaurant, in or out of fown. Ad-dress James Harkins, this office. 21

ENVIRGETIC MAN wants possion to so-led trade for grocery or produce house in city or on the road; acquainted with city; best references. Address 570, this other. cily, best references. Address 855, this cince.

Colones Man wants situation as a yard man to tend to horses and arbund the varil cober and of good moral character. Address 853, this office.

SITUATION WANTED—By an all ground colored man; can uo yard work, milk, stiend to horse, age at years. Address 555, this office.

SITUATION WANTED—by a colored man, willing to do anything, and can do most any kinel of work, bar, private hotel or boarding house; age 23. Address 555, this office.

SITUATION WANTED—By a young man, willing to do anything; have had about six years experience moral office. Address XXX, this office.

WANTED—Position by druggist; ten years experience; pest of references. Address 450. Orango, Texas.

wANTED—By man 3 years of age, sliu, atton as deliverer for mandry, dry goods or grocery store, or porter in store. Private or public work; can give natis-faction; not afraid of work. Address C. W. Ingle, 1607 Sauthier street.

W. Ingle, 197 Saultier street.

WANTED-Work by young Bohemian
man, can work in store or around house
and garden; good, heady for anything
Address Geo. Earnak, 198 Houston ave.
mie, Houston, Texas.

JOR WANTED-By young white man;
work of some kind; willing to work in
yard or farm. Address 2022, this office.

ENFERRINCED bousekeeper and governous wants employment; am a fixed seamurress atso. Address L. V. blake, general delivery.

seathistress also. Address L. V. blake, general delivery.
WANTED-Employment of any kind; willing to work; are is; can furnish reteriones. George Jackson, corner Risk and Pannin etreets.

WANTED-A situation by a young man about 25 years of are as a delivery driver; well-known at the city. Address 1833, this office.

SITIATION WANTED-By man and wife colored, around private family or bearting bouse; both of us are healthy, can bring reterior if required; withing to leave city if necessary. Address 1900 Bell dvente.

FOR RENT.

WO or more connecting rooms, well fur-nished, very comfortable for fight house, keeping, to couple without children; close in; reterences required. Call for Chem-vert.

in: reterences required. Cail for Chemvert.

MY RESIDENCE, eight rooms, newly papered and painted; also six room codings,
both with medern conveniences; waiting distance of business; reduced rentato descable parties. G. W. Cleveland,
1396 Mohm street.

FOR RENT—An established bakery with
siving rooms attached; No. 2017 Washington street, has city water; also sevan
room house, No. 2018 Freshkin; rent low to
right people. Apply at 1418 Washington,
A am Clay.

FINELY intrashed room in private famity; hot water, gas and all modern conveniences. Apply 716 Crawford street. 28

FOR RENT—Three unformshed rooms for
light housekeeping; also furnished
rooms; two baseks from Capsol holed
cheap rent; bath privileges; 100 Capitol
avenue.

FOR DENT OR LEASE,—Barber shop in Houston doing good bush ess; cherp rent; a snap for the right man. Address bill, this office.

FOR RENT—Fine arranged that for roomers or families, close in. Apply 11134. Corgress avenue, second floor, room 2, 27

Corgress avenue, second floor, room 2, 27

WE HAVE twenty splendid temants for third ward residence property. Parties want face, they property with modern convetences. What have you to let with us? Norfeet & Cooley.

If FOR RENT—A farm of No acres, is integring thousand, on county road 14 miles from Houston, on county road 14 miles from Houston, on county road 14 miles from Houston, on county road 14 miles from Westfield. Apply to A. F. Lincele, 20 Travis street, January 19.

FOR RENT—One eight-room, two story house. Chartres, corner Lamar, with outhouses and large yard room. Apply to C. E. Ashe, like freston acenue. 2

FOR RENT—Seven room cottage at 704 Hamileon street, confortable and desirable. Raphael Bros.

FOR RENT—Seven room for light house, seven-room house at 115 per month, in Second ward. Apply Mrs. H. Freund, 20 For RENT—Seven room house, 187 Chenever! street, hot and cold water, sas, etc.; pries 15 per month, in quare corner Poik and Chienever! street, hot and cold water, sas, etc.; pries 15 per month, inquare corner Poik and Chienever! street, with all podern murrowments. Annyl 118 Texas.

corner Polk and Chenevert for key. 21

NICELY furnished room for rent, with all
modern improvements. Apply 131s Texas
avenus, between Caroline and Austin. 23

FOR RENT-House corner Kane and Taying streets. Apply next door or to Win.
B. King & Co., Commercial bank build,
the good house and cheap rent. 22

FOR RENT-Ore furnished second story
front room fre gentlemen, Call at 116

Walker

Walker

FOR RENT-Store No. 15% Congress avenue, opposite court house. Apply C. J. Kochler, 50% Congress avenue.

FOR RENT-Floor space on second floor of Post building. Apply to G. J. Palmer, Buelines Manager.

STORAGE LARGEST AND BEST STORAGE LARGEST AND BEST of the storing Furniture and Merchandles of all kinds. Peder & Co.

REAL ESTATE.

33 ACRES fine land, heavily timbered with white oak, on San Jacinto river near H. E. & W. T. railroad, only E. per dore, rasy terms. Wilson & Hannal SS Kiam building.

28 Kiam building.
WHY PAY CAR PARE when you can buy
nve rcom cottage close in, seven blocks
from Capitol hotel, Third ward, on installments? Address 5318, this office. 22 ELACK LAND SECTION—Twenty miles east of Houston and one and a half miles from Crosby, on Southern Pacific railroad; store, postoffice, etc.; high, dry land; will produce one bale of cotion and forty hushels of corn; first class neighborhood, price \$6.00 per acre; one-third cash, or \$250, sil cash; and, is worth 510 per acre; buy direct from owner and save commission. O. M. Pudor, Houston, Texas.

COAST COUNTRY LANDS POR SALE—Farms of all sizes, soil of every description, cotton, fruit and srain land; from ten acres upwards; price, El to \$20 per acre; one country the largest crops in the Southern section, Address Marwin & Angle, Elana, Texas.

LAND FOR SALE OR ENCHANGE.

Texas.

LAND FOR SALES OR EXCHANGE—About 350 acres well improved ranch, is miles from rallway. Frice 146,00, one raif cash, or will arcept one-half in road city property. Farticulars of T. J. Skassas Real Estate Company, Beverlle, Texas.

FOR SALE—Spiember residence and two iots at Brunner, 1500 cash for lots and Hipper month until paid for; bargain offered for Ettle money. Box 446, Houston.

LOST, STRAYED, OR STOLEN

510 REWARD—Lost, in Houston, Januar 20. diamond stud, sprai ecting; finds will receive the above reward. Wm. Pos-cock, 604 Travis street.

cock, 69 Travis street.

TOOK through mistake at Auditorium black overcoat, with doorkey in pecket instead of smit colored coat with glow in pecket; finder return asme to in Houston avenue and get his. LARGE red St. Bernard dog, white and breast and white spot on assensmed Noro. Libral reward paid if a turned to No. 1812 Franklin.

LACLEDE HOTEL ".

DR.DIKS